

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On December 3, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29964. Adulteration and misbranding of raspberry jam. U. S. v. 15 Cases of Raspberry Jam. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. & D. No. 44210. Sample No. 34303-D.)

This product contained apples which had been substituted in part for raspberries.

On October 18, 1938, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 cases of raspberry jam at Washington, D. C.; alleging that the article had been shipped in interstate commerce on or about September 24, 1938, by the Sun Distributing Co. from Brooklyn, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Nature's Own Pure Raspberry Jam Manufactured By Fresh Grown Preserve Corp., Brooklyn, New York."

It was alleged to be adulterated in that apple had been substituted in whole or in part for the article.

It was alleged to be misbranded in that the statement "Pure Raspberry Jam" was false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained apple; and in that it was an imitation of and was offered for sale under the distinctive name of another article.

On December 22, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered turned over to a charitable institution.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29965. Adulteration of candy. U. S. v. One Carton of Candy. Default decree of condemnation and destruction. (F. & D. No. 43704. Sample No. 22351-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On September 8, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one carton of candy at Chicago, Ill.; alleging that the article had been shipped on or about August 17, 1938, by the Parkersburg Candy Co. from Parkersburg, W. Va.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On November 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29966. Adulteration of candy. U. S. v. 7 Boxes, 5 Boxes, and 32 Boxes of Candy. Default decree of condemnation and destruction. (F. & D. Nos. 43868, 43869, 43870. Sample Nos. 27949-D, 27950-D, 27951-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On September 14, 1938, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 44 boxes of candy at Peoria, Ill.; alleging that the article had been shipped in part on or about October 28, 1937, by Chicky Candies, Inc., from Grand Rapids, Mich., in part on or about May 27, 1938, by Sperry Candy Co. from Milwaukee, Wis., and in part on or about June 9, 1938, by Planters Nut & Chocolate Co. from Wilkes-Barre, Pa.; and charging adulteration in violation of the Food and Drugs Act.